

**REQUEST
FOR
CONTINUED EXAMINATION (RCE)
TRANSMITTAL**

Subsection (b) of 35 U.S.C. § 132, effective on May 29, 2000
provides for continued examination of an utility or plant application
filed on or after June 8, 1995
See The American Inventors Protection Act of 1999 (AIPA).

Application Number 09/318,045
Filing Date January 28, 2002
First Named Inventor Alan R. Neuhauser
Group Art Unit 2641
Examiner Name Martin Lerner
Attorney Docket Number 03382-P0031A

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Technology Center 2600

This is a Request for Continued Examination (RCE) under 37 C.F.R. § 1.114 of the above-identified application

NOTE: 37 C.F.R. § 1.114 is effective on May 29, 2000. If the above-identified application was filed prior to May 29, 2000, applicant may wish to consider filing a continued prosecution application (CPA) under 37 C.F.R. § 1.53 (d) (PTO/SB/29) instead of a RCE to be eligible for the patent term adjustment provisions of the AIPA. See Changes to Application Examination and Provisional Application Practice, Final Rule, 65 Fed. Reg. 50092 (Aug. 16, 2000); interim Rule 65 Fed. Reg. 14865 (Mar. 20, 2000), 1233 Off. Gaz. Pat. Office 47 (Apr. 11, 2000), which established RCE practice.

1. Submission required under 37 C.F.R. § 1.114

- a. ☐ Previously submitted
- i. ☐ Consider the amendment(s)/reply under 37 C.F.R. 1.116 previously filed on _____
(Any unentered amendment(s) referred to above will be entered).
- ii. ☐ Consider the arguments in the Appeal Brief or Reply Brief previously filed on _____
- II ☐ Other _____
- b. Enclosed
- i. ☒ Amendment/Reply 02/21/2002 SDIRETA1 00000156 09318045
- ii. ☐ Affidavit(s)/Declaration(s) 01 FC:17?
- iii. ☐ Information Disclosure Statement (IDS) 740.00 GP
- iv. ☒ Other - Request for Three-Month Extension of Time to Respond

2. Miscellaneous

- a. ☐ Suspension of action on the above-identified application is requested under 37 C.F.R. § 1.103© for
a period of _____ months. (Period of suspension shall be exceed 3 months; Fee under 37 C.F.R. § 1.17(i) required.)
- b. ☐ Other _____

3. Fees The RCE fee under 37 C.F.R. § 1.17(e) is required by 37 C.F.R. § 1.114 when the RCE is filed.

- a. ☒ The Director is hereby authorized to charge the following fees, or credit any overpayment to
Deposit Account No. 19-4516.
- i. ☐ RCE fee required under 37 C.F.R. § 1.17(e)
- ii. ☒ Extension of time fee (37 C.F.R. §§ 1.136 and 1.17)
- iii. ☒ Other Any Fee Deficiency
- b. ☒ Check in the amount of \$1660.00 is enclosed
- c. ☐ Payment by credit card (Form PTO-2038 enclosed)

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT REQUIRED

Name (Print / Type) Eugene L. Flanagan III Registration No (Attorney/Agent) 27,634

Signature *Eugene L. Flanagan III* Date January 28, 2002

CERTIFICATE OF MAILING OR TRANSMISSION

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner For Patents, Box RCE; Washington, DC 20231, or facsimile transmitted to the U.S. Patent and Trademark Office on: January 28, 2002.

Name (Print / Type) Susan K. Dammeh

Signature *Susan K. Dammeh* Date January 28, 2002